

# **EXHIBIT E**

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**From:** Fazio, Stephen M. <stephen.fazio@squirepb.com>  
**Sent:** Wednesday, January 3, 2024 8:44 PM  
**To:** Jason Alloy  
**Cc:** Joshua Mayes; Mace, Damond R.  
**Subject:** RE: Lucasys, Inc. v. PowerPlan, Inc., No 1:20-cv-2987-AT [I-AMS.FID4816129]  
**Attachments:** 20240103\_ltr\_to\_Jason Alloy.pdf

Dear Jason,

Please see the attached.

Best,

Steve

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**From:** Debbie Butler <Debbie.Butler@robbinsfirm.com>  
**Sent:** Monday, December 4, 2023 9:09 AM  
**To:** Fazio, Stephen M. <stephen.fazio@squirepb.com>  
**Cc:** Joshua Mayes <Joshua.Mayes@robbinsfirm.com>  
**Subject:** [EXT] Lucasys, Inc. v. PowerPlan, Inc., No 1:20-cv-2987-AT

Mr. Fazio,

Attached please find correspondence from Jason S. Alloy, Esq.  
Thank you.

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**Debbie M. Butler**

T: 404 856 3269 | E: [dbutler@robbinsfirm.com](mailto:dbutler@robbinsfirm.com)

Robbins Alloy Belinfante Littlefield LLC  
500 14<sup>th</sup> Street, N.W.  
Atlanta, Georgia 30318  
[www.robbinsfirm.com](http://www.robbinsfirm.com)

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Squire Patton Boggs (US) LLP  
1000 Key Tower  
127 Public Square  
Cleveland, Ohio 44114

O +1 216 479 8500  
F +1 216 479 8780  
squirepattonboggs.com

Stephen M. Fazio  
T +1 216 479 8403  
stephen.fazio@squirepb.com

January 3, 2023

Jason S. Alloy, Esq.  
Robbins Alloy, Belinfante, Littlefield, LLC  
500 14<sup>th</sup> Street, N.W.  
Atlanta, GA 30318

**Re: Lucasys v. PowerPlan, Inc., No. 1:20-cv-2987-AT**

Dear Jason:

This letter responds to your letter dated November 30, 2023, which I received on December 4, 2023. Suffice it to say, we disagree that our October 21, 2023 letter raised any new issue or deviated in any way from PowerPlan's position throughout this litigation regarding the IP protection letters.

Your speculation that PowerPlan will claim at trial that the testimony of Mr. Bertz or other PowerPlan employees was inaccurate and place attorney-client communications at issue, is unfounded and just that—simply speculation. To be clear, PowerPlan has not made such a claim concerning the witnesses and has not placed any attorney-client communications at issue in this litigation. Accordingly, we decline your request that we waive privilege and produce privileged documents concerning the IP Protection letters.

Sincerely yours,

*Stephen M. Fazio*

Stephen M. Fazio

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